

R E M A R K S

Claims 1, 3, 7, 8, 10, 15, 16, and 22-24 are amended. Claim 6 is canceled. Claims 2, 4, 5, 9, 11-14, 17-21, and 25-27 stand as originally filed. Re-examination and reconsideration are requested.

In the office action, paper number (unspecified), dated October 26, 2005, the examiner rejected claims 1-6, 8, 9, 11-14, 16-21, 24, and 25 under 35 U.S.C. §102(b) as being anticipated by Freige, *et al.*, U.S. Patent No. 5,420,750 (Freige). The examiner objected to claim 7, 10, 15, 22, 23, 26, and 27 as being dependent upon a rejected base claim, but indicated that they would be allowable if rewritten in independent form.

Re the Claims:

Claim 1 is amended to include the limitations of claim 6.

Claim 3 is amended to correct a typographical error.

Claim 6 is canceled.

Claim 7 is amended to place it in independent form. Claim 7, and the claims depending therefrom (i.e., claims 10 and 15) should now be allowable.

Claim 8 is amended to avoid repeating limitations in amended claim 1.

Claim 16 is amended as indicated in the listing of the claims.

Claim 22 is amended to place it in independent form. Claim 22, and the claim depending therefrom (i.e., claim 23) should now be allowable.

Claim 24 is amended as indicated in the listing of the claims.

Re the Section 102 Rejections:

The examiner rejected claims 1-6, 8, 9, 11-14, 16-21, 24, and 25 under 35 U.S.C. § 102(b) as being anticipated by Freige. However, these rejections are moot in light of the amendments to the claims. With respect to the amended claims, the amended

claims are allowable because Freige fails to meet all of the limitations of the claims.

Amended claim 1 requires that the open backed portion be "disposed to interchangeably receive any of a plurality of discrete similarly-sized modules selected from the group consisting of an alignment panel module, a cartridge reader module, a cartridge writer module, a cartridge read/write module and a cartridge storage magazine." First, none of the modules disclosed by Freige are the modules set forth in amended claim 1. Therefore, Freige cannot anticipate claim 1.

Moreover, even if it were proper to regard the modules of Freige as being the same as the claimed module (which they are not), Freige still fails to meet the limitations of amended claim 1, in that not all of Freige's modules are interchangeable within the same area defined by Freige's housing. For example, Freige discloses that the components accessible from the back of his housing are power unit 20 and circuit modules 31. However, others of the modules, namely disk drives D-1, D-2, and D-3, which the examiner erroneously equated with the cartridge storage magazine of the pending claims, are accessible only from the front of the housing, not the back. That is, the modules accessible from the back of the Freige housing (i.e., namely power unit 20 and circuit modules 21) are not interchangeable with the disk drives D-1, D-2, and D-3.

Because amended claim 1 requires that all of the modules be interchangeably received by the open-backed portion of the housing, and because Freige fails to disclose, or even suggest this limitation, Freige cannot anticipate amended claim 1.

Claims 2-5, 8, 9, and 11-14 are at least allowable in that they depend from claim 1, which is allowable.

Amended claim 16 requires "a plurality of separate modules, selected from the group consisting of an alignment panel module, a cartridge reader module, a cartridge writer module, a cartridge read/write module and a cartridge storage magazine and each of the plurality of separate modules fitting interchangeably within

the opening of the back portion." For the same reasons explained above, Freige does not disclose a device in which the precise modules listed above are accessible from the back. Since strict identity cannot be established between Freige and the limitations of claim 16, Freige cannot anticipate claim 16.

Claims 17-21 are at least allowable in that they depend from claim 16, which is allowable.

Similarly, claim 24, as amended, requires that the providing a housing having a back area with an opening, "the opening being disposed to interchangeably receive any of a plurality of discrete similarly-sized modules; selecting a discrete one of the similarly-sized modules from the group consisting of an alignment panel module, a cartridge reader module, a cartridge writer module, a cartridge read/write module and a cartridge storage magazine" As already explained, Freige does not disclose or suggest these modules, thus fails to meet these limitations. Consequently, Freige cannot be used as the basis for an anticipation rejection of amended claim 24.

Claim 25 is at least allowable in that it depends from claim 24, which is allowable.

Re the Objections to the Claims:

The examiner objected to claims 7, 10, 15, 22, 23, 26, and 27 as being dependent upon a rejected base claim, but indicated they would be allowable if re-written in independent form to include the limitations of the base claim and any intervening claims.

In response, applicants have amended claim 7 to place it in independent form to include all of the limitations of the base claim (original claim 1) from which it depended. Claim 7 should now be allowable.

Claims 10 and 15 are amended to change their dependencies from claim 1 to claim 7 in order to place them in allowable form and to reduce the number of allowed independent claims. Because amended claim 7 includes the limitations of original claim 1, and

because claims 10 and 15 now depend from claim 7, claims 10 and 15 should now be allowable.

Claim 22 is amended to place it in independent form to include all of the limitations of the base claim (original claim 16) from which it depended. Claim 22 should now be allowable.

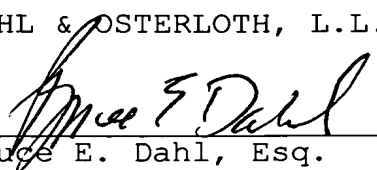
Claim 23 is amended to change its dependency from claim 16 to claim 22 in order to place claim 23 in allowable form and to reduce the number of allowed independent claims. Because amended claim 22 includes the limitations of original claim 16, and because claim 23 now depends from claim 22, claim 23 should now be allowable.

Claims 26 and 27 are not placed in independent form in order to reduce the number of allowed independent claims. However, claims 26 and 27 remain allowable in that they depend from amended claim 24, which should be allowable, as explained above.

Applicants believe that all of the claims pending in this patent application are allowable and that all other issues raised by the examiner have been rectified. Therefore, applicants respectfully request the examiner to reconsider the rejections and to grant an early allowance. If any questions or issues remain to be resolved, the examiner is requested to contact the applicants' attorney at the telephone number listed below.

Respectfully submitted,

DAHL & OSTERLOTH, L.L.P.



Bruce E. Dahl, Esq.
Attorney for Applicants
PTO Registration No. 33,670
555 17th Street, Suite 3405
Denver, CO 80202
(303) 291-3200

Date: 1-25-06